

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES—GENERAL

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Case No. 2:22-cr-00267-MEMF-All Defendants

Date December 20, 2023

Present: The Honorable MAAME EWUSI-MENSAH FRIMPONG, UNITED STATES DISTRICT JUDGE

Interpreter N/A

Damon Berry

Deputy Clerk

Myra Ponce

Court Reporter

Benedetto L Balding

Assistant U.S. Attorney

| U.S.A. v. Defendant(s): | Present | Cust. | Bond | Attorneys for Defendant(s): | Present | Appt. | Ret. |
|----------------------------|---------|-------|------|---|---------|-------|------|
| 1) Del Entertainment, Inc. | ✓ | | | 1) Douglas M. Fuchs, Shawn Holley, Marissa Goldberg (video) | ✓ | | ✓ |
| 2) Jose Angel Del Villar | ✓ | | ✓ | 2) Eddie A. Jauregui, | ✓ | | ✓ |
| 3) Luca Scalisi | ✓ | | ✓ | Richard Bratton Roper , III (video), Drew Findling (video) | | | |
| | | | | 3) Scott D. Tenley, Rose L. Romero (video), Evan A. Jennes | ✓ | | ✓ |

Proceedings: STATUS CONFERENCE

The case is called, and counsel make their appearances. A portion of the transcript is ORDERED sealed. The Court and counsel confer regarding the status of the case.

After hearing from each defendant and their respective counsel in camera, the Court found that the Request to Substitute Attorneys (ECF No. [122]) was not made for the purpose of delay. For the reasons stated on the record, the Request to Substitute Attorneys for all defendants is GRANTED. The Court hereby RELIEVES prior counsel for all defendants.

The Court considered the factors set forth in *United States v. Turner*, 897 F.3d 1084 (9th Cir. 2018) and GRANTED the request for a continuance finding that there were legitimate reasons for the delay, the delay was not the defendant's fault, and denial of the continuance would prejudice the defendant given the additional investigation that new counsel intends to undertake and given the additional, non-frivolous pretrial motions which new counsel intends to file. The Court found that although other continuances have been granted, they were all for good cause, and the inconvenience to witnesses and the Government was minimal and outweighed by the other factors. The Court acknowledged that new counsel may determine that additional continuances are needed once they are able to review discovery in the case, and advised counsel that it would be open to considering further continuances on that basis. The Court admonished new counsel that although it will consider any further requests for continuances based upon the needs of this case, any requests for continuances that are based upon obligations that counsel already had when they took on this case or obligations they acquired knowing the requirements of this case would be disfavored.

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The parties are ORDERED to meet, confer, and file a joint proposal by January 5, 2024, regarding a new trial date and briefing schedules for pretrial motions and motions in limine. The Court advised the parties that it would be open to hearing substantive pretrial motions on a timeline earlier than motions in limine which are typically heard shortly before trial. The parties are to contact the Courtroom Deputy Clerk regarding the Court's availability and the availability of Courtroom One prior to filing their joint proposal.

For the reason stated on the record, all filed motions in this case are considered withdrawn, and all hearings in this matter are VACATED.

IT IS SO ORDERED.